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House of Representatives

The House was not in session today. Its next meeting will be held on Thursday, March 24, 2022, at 1 p.m.

Senate

TUESDAY, MARCH 22, 2022

The Senate met at 10 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, whose glory the very Heaven of heavens is not able to contain, we rejoice in Your strength. Lord, You continue to be our hope for the years to come as we remember how You have rescued us in the past.

Today, we cry out again to You for the Ukrainian people. We claim Your promise in Psalm 50:15, which states: Call me when you are in trouble, and I will rescue you.

Lord, our world is in trouble, so empower our lawmakers and us to rise up and stand firm during this season of crisis.

We pray in Your marvelous Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 22, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore

Mr. WARNOCK thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

AMERICA CREATING OPPORTUNITIES FOR MANUFACTURING, PRE-EMINENCE IN TECHNOLOGY, AND ECONOMIC STRENGTH ACT OF 2022—MOTION TO PROCEED—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will resume consideration of the motion to proceed to H.R. 4521, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to H.R. 4521, a bill to provide for a coordinated Federal research initiative to ensure continued United States leadership in engineering biology.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

NOMINATION OF KETANJI BROWN JACKSON

Mr. SCHUMER. Well, Mr. President, today, the Senate Judiciary Committee continues a most historic hearing with a most qualified nominee to the most consequential Court in all of the land.

Judge Ketanji Brown Jackson is unlike any other Supreme Court nominee in American history, but yesterday she made clear her approach will be the same as the great jurists who came before her, "to support and defend the Constitution and this grand experiment of democracy that has endured over these past 246 years."

Her record shows that she is up to the task: a clerk for three judges, including Justice Breyer; a Federal judge for nearly 10 years; and a nominee who commands the endorsements of groups across the political spectrum, including both law enforcement and victims' rights groups.

Two days ago, a cohort of nine organizations that aid survivors of sexual assault and domestic violence announced their support of Judge Jackson, citing her "mix of common sense" and "thoughtfulness," while adding

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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that “Judge Jackson’s rulings reflect the judicial consensus.”

A few weeks ago, the International Association of Chiefs of Police also celebrated the judge for “her dedication to ensuring that our communities are safe and that the interests of justice are served.”

And in early March, nearly 60 former DOJ officials, including scores of former U.S. attorneys, expressed their confidence that the judge’s appreciation for how the criminal justice system works would be a critical addition to the Court.

Now, when the facts aren’t on your side, some are tempted to change the subject, and that is precisely what some Republicans tried to do yesterday. Republicans showed they don’t have a plan for addressing Judge Jackson on her merits, so they expended a lot of ink and paper pushing arguments that range from irrelevant to downright misleading. As the judge’s confirmation hearing continues today, I am confident that Americans are going to see right through these flimsy broadsides and focus on the judge’s impressive, impressive record.

So, as we enter day 2 of the hearing, I thank my colleagues on the Judiciary Committee who will engage seriously with the judge. I again express my confidence she is on track for final confirmation before the end of this work period.

H.R. 4521

Mr. President, on the competition bill and costs, last night, the Senate cleared the first procedural hurdle on moving forward with jobs and competitiveness legislation that both parties broadly support. In fact, the vote last night was two more than the final passage a few months ago on the Senate bill.

As a reminder, our long-term goal is to get to a conference committee with the House to finalize a bill we can send to the President. To do that, we must take the legislation that the House sent us, amend it with the bill the Senate passed last summer—USICA—and return it to the House so that they can request a conference. That is the elaborate process the Senate requires us to do.

This legislation has been dissected and debated for well over a year now, but the need to pass this bill really boils down to two simple words: J-O-B-S, jobs, and C-O-S-T-S, costs. It will create more jobs by bringing manufacturing back to America from overseas. It will lower costs by taking aim at supply chains, address the chip shortage, and increase innovation. Equally important, this legislation will revive the grand tradition of American innovation that has fueled us and helped our economy grow for much of the 20th century.

Our colleges, our universities, and our startups are some of our country’s most prolific job creators. We need to pass this bill to strengthen each of them.

Through this bill, we will also address the chip shortage—an especially severe scourge on American families. There is nothing abstract about the shortage of chips. It impacts Americans’ abilities to buy cars, refrigerators, phones, and other household items. Americans have faced long delays in finding these goods, and when they are available, they now end up costing a lot more than they did before. By passing bipartisan legislation that invests in domestic chip production, we can help alleviate this vexing chips crisis.

America used to lead the world in chip production. We produced about one-third of the world’s supply. For the sake of American workers, American consumers, and our national security, we must lead the world again. Passing this bill is critical for achieving that goal.

Our efforts in the Democratic Senate at lowering costs extend to other areas as well. Today, the Commerce Committee will hold a markup on bipartisan legislation by Senators KLOBUCHAR and THUNE to reform unfair shipping practices that are clogging up ports, diminishing American exports, and ultimately hurting consumers. This bipartisan shipping bill is exactly the sort of thing the Senate should focus on because when there is a logjam at the Port of Los Angeles, the tremors are felt by farmers in Minnesota and North Dakota, and ultimately American consumers pick up the tab.

Chairman MURRAY will also hold a hearing today in the HELP Committee on another very important issue: lowering the costs of childcare and preschool. Today, families pay sometimes more than \$10,000 per child on childcare—more than some might pay for their annual cost for a mortgage. Ten thousand dollars a year is simply out of reach for many families. Not only do our kids suffer when they don’t have somewhere safe to stay, families suffer when parents can’t enter the workforce, and our country suffers as our economy’s productivity is diminished. The example of other countries that have better childcare is shown in greater participation in the workforce, particularly by women.

I thank Chairman MURRAY and the members of the HELP Committee for focusing on this issue. Today’s hearing will surely inform the work of Senate Democrats as we work on legislation we can consider which will lower costs for the American people.

RUSSIA

Mr. President, finally, on PNTR, this week, Members from both parties must work together to take the next step in holding Putin accountable by passing PNTR legislation approved overwhelmingly by the House of Representatives. I believe it passed something like 224 to 8. Both Speaker PELOSI and Leader MCCARTHY are in support of the legislation.

The clearest message we can send Vladimir Putin is that we are united in

passing PNTR that will land a heavy blow against Putin’s economy. The PNTR revocation was approved by the House, supported by the President, and would help make Putin pay a heavy price.

Time is of the essence to pass PNTR because Putin’s savagery against the Ukrainian people grows day by day and because the President is meeting with the G7 Ministers in Europe.

On Monday morning, Putin’s savagery showed itself once again. Missiles obliterated a 10-story shopping mall in the center of Kyiv, leaving an untold number of people dead in one of the largest attacks on the city to date. In the south, residents of the once-thriving port city of Mariupol fight on in what has become the most intense urban warfare that Europe has seen since World War II and the most brutal at Putin’s hands.

In the words of one Mariupol resident:

The dead lie in the entrances, on the balconies, in the yards. And you’re not scared one bit. . . . Because the biggest fear is night shelling. Do you know what night shelling looks like? Like death.

That is a person who lives in Mariupol. These words should ring in all of our ears.

It must be unacceptable for any nation so willing to slaughter civilians as Russia to have normal trade relations with the United States and the rest of the world, so the Senate must act quickly to pass PNTR.

Every drop of Ukrainian blood demands a response, and the United States has an obligation to stand behind this young democracy. Putin’s regime is wicked, and the best message we can send to him is to pass the PNTR legislation with overwhelming bipartisan support.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

REMEMBERING DON YOUNG

Mr. MCCONNELL. Mr. President, last week, the U.S. Congress lost a one-of-a-kind colleague, and the State of Alaska lost an unbelievably devoted champion.

Congressman Don Young, the dean of the House, was the longest serving Republican in the history of that Chamber. He arrived in 1973, and his fellow Alaskans rehired him to represent them every 2 years since.

Over the decades, Congressman Young’s leadership and advocacy had a literally transformative effect on his home State. He secured resources for Alaska’s infrastructure and its people. I understand his office contains photographs of Don with no fewer than 10

different Presidents, each of whom had signed into law a bill that he had written.

Don Young first moved to Alaska back in 1959, the same year it became our 49th State. He once explained his rationale like this:

I can't stand the heat and I was working on a ranch and I used to dream of some place cold and no snakes and no poison oak.

Well, Alaska sure delivered for Don. And starting with a mayoral election in 1964, he spent practically his entire adult life delivering for Alaska in return.

Our late colleague across the Ronda wasn't just a legendary legislator and committee chairman; he was also a wildly unique character. Even after decades in public service, he remained every bit the former fisher, trapper, construction worker, gold miner, and tugboat captain.

The Senate sends our prayers to Don's family, his staff, and his colleagues, who miss him already.

BORDER SECURITY

Mr. President, on a completely different matter, in 2021, the Biden administration's border crisis set a record. We saw the most arrests that Customs and Border Protection ever reported in a single year on the southern border. As the Washington Post put it at the time, illegal border crossings "skyrocketed in the months after President Biden took office."

Well, the humanitarian and security crisis has only gotten worse. Last month was the busiest February for CBP migrant encounters in over two decades, exceeding February 2021 by 64 percent, and intelligence officials are reportedly "bracing" for an even steeper surge.

The left spent years calling on Washington Democrats to "abolish ICE." On the campaign trail, President Biden signaled support for subsidizing healthcare for illegal immigrants.

Once in office, the administration spent months seemingly more interested in policing government terminology than policing our actual border. The Vice President, ostensibly tasked with leading the White House border security efforts, seemed keen to travel anywhere but the border.

When Democrats' approach left border facilities overwhelmed, the administration diverted billions of dollars away from pandemic response funds to cover for their crisis.

To prevent their border crisis from getting even worse, the administration has leaned heavily on an emergency authority that was originally invoked by the previous administration due to COVID. CBP has now used temporary title 42 permission more than 1 million times to avoid releasing migrants into the interior of the United States. You might think the Biden administration would have used the time afforded by this stopgap to actually hash out a strategy to secure the border, but they have not. No solutions are in sight.

But now, unbelievably, the administration is reportedly on the cusp of

caving to woke pressure and lifting the title 42 authorities altogether. This move would take our border from its current state of chaos into a whole new level of utter—utter—meltdown.

Democrats say they are concerned about new COVID variants and may want more COVID funding. Yet they want to declare the pandemic over and finished at our southern border? But more broadly, why on Earth are Democrats accepting the far-left premise that we should only enforce immigration laws during a once-in-a-century pandemic?

Well, in the near term, it would be wildly reckless for Democrats to simply stand down and let the flood gates open. Such a policy would be terrific news for human traffickers and drug cartels. It would be terrible news for the American people.

INFLATION

Now, Mr. President, on one final matter, America's working families continue to face strong headwinds as they try to make ends meet. The historic inflation kicked off by runaway liberal spending last year is still taking its toll, one paycheck at a time. For many Americans, eating out once in a while was already a treat. Now, restaurant menu prices are capping off the biggest 12-month price surge in more than 40 years, just as lunch counters are beginning to see more traffic from workers returning to the office.

Meanwhile, just putting food on the table at home has become a hardship. For one mother in Florida, a trip to the grocery store that used to cost her about \$150 now costs \$250 for exactly the same amount of food. She is reportedly "cutting back on fresh produce and meat in exchange for less-nutritious but cheaper items . . . as it becomes harder to stretch her household's income and ensure that her family has enough to eat."

Of course, the price hikes consumers are seeing at the grocery store are due in part to the soaring cost of fuel. The regular gas working families use to fill up their cars was already nearly \$2 a gallon since President Biden took office.

But the diesel used in semitrucks and many commercial vehicles costs \$1 more than it did just last month—1 month ago. According to one recent survey, more than half of small business owners say that the rising cost of fuel is impacting their operations. "It's keeping me awake," reported the head of a small transportation fleet that serves people with disabilities in Pennsylvania. For the manager of a lumber dealership in Nevada, the free delivery his business took pride in might have to be put literally on hold.

Unfortunately, Washington Democrats' response to these hardships has been as misguided as the war on American energy and runaway spending that helped create them. Several weeks ago, the Biden administration entertained the idea of suspending the gas tax but only long enough to give Democrats

cover at the polls this coming November.

This week, we learned the White House considered sending out gas cards through the IRS even as they keep up their war on domestic energy production.

The Biden administration seems to be willing to try anything—anything—but walking back their own disastrous economic policies. For the sake of working families, I hope they snap out of it sometime soon.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UKRAINE

Mr. THUNE. Mr. President, the Russian assault on Ukraine continues unabated. Each morning seems to bring a fresh horror. In the last few days alone, we have seen the Russians bomb an arts school where as many as 400 civilians had taken cover. We have seen the bombing of a theater where an estimated 1,300 women and children and the elderly were sheltered—not a military target, a theater providing shelter to civilians, to children—a theater that was clearly labeled with the word "children." That is right. On the pavement outside, in large white letters, visible in satellite images, was the word "children" written in Russian.

So it is pretty impossible that the Russians didn't know what or who they were bombing. But they bombed anyway.

And this is just one example of the depravity of the Russian siege of Mariupol, which has largely destroyed this port city. Residents in Mariupol are without electricity, without running water, at times without food. As important as words are, they fail when it comes to describing the horrors that Ukrainians are experiencing, the inferno that so many of them now exist in on a daily basis.

As we go about our lives in peace and security, most of us have no notion of what it means to live where air raid sirens have become commonplace, where bombed-out buildings line the streets you used to walk on, where crossing a road or leaving a building at the wrong moment can mean your death. The pictures convey some of the horror—the postapocalyptic streetscapes, the buildings gray with ash, the gaping holes in apartment blocks and businesses—images akin to the bombed-out cities seen in old World War II photographs, the total destruction of once vibrant places.

Mariupol is perhaps the foremost example of the devastation Russia has wrought. The last EU diplomat to leave that city summed up the situation in stark words on Sunday:

What I saw, I hope no one will ever see. Mariupol will become part of a list of cities that were completely destroyed by war.

“What I saw, I hope no one will ever see. Mariupol will become part of a list of cities that were completely destroyed by war.” We don’t have to look far for the source of these horrors; they can be attributed to one man, to Vladimir Putin.

To achieve his vision of a Russian Empire, he has laid waste to the country of Ukraine; thousands of lives sacrificed, on both sides, because he wants Ukraine, because he thinks Ukraine should be part of Russia. It doesn’t matter that the people of Ukraine have made it unmistakably clear that they are their own people and a sovereign nation willing to lay down their lives for their freedom. Putin wants Ukraine, and he is apparently willing to destroy Ukraine to get it.

All this evil, all this destruction, so many—so many—human lives wasted all because of one man’s fixation on a Russian Empire. More than 3.3 million refugees have fled Ukraine, including at least 1.5 million children, and around 6.5 million Ukrainians are internally displaced. That amounts to roughly one-quarter of Ukraine’s population forced from their homes. And the numbers continue to grow.

Last week, President Zelenskyy addressed Congress. In powerful words, he outlined a situation in Ukraine and asked for additional help as Ukrainians battle for their country. I am proud that the United States has provided Ukraine with substantial military assistance and has put in place strong sanctions against Russia, including sanctioning the lifeblood of the Russian economy, which is the Russian energy sector.

But, Mr. President, we have to do more. However much current sanctions have hit the Russian economy, Putin is still prosecuting his war of aggression in Ukraine, and so we have to do more. We have to send the message, unequivocally, that Russia will be an outcast from the free world until it withdraws from Ukraine.

There are additional sanctions the United States can put in place, and we need to immediately get to work unleashing American energy production so we can provide energy to our allies in Europe and lessen their dependence on energy from Russia. Every dollar—every dollar—that goes to purchase Russian energy is a dollar that Russia can use to finance its war of aggression.

The United States has correctly banned Russian oil and gas imports; now we need to help our allies in Europe permanently divest themselves of their reliance on Russian energy. Congress needs to act immediately on legislation to suspend Russia’s favorable trading status. Membership at the World Trade Organization should be limited to countries that don’t launch unprovoked wars on their neighbors. We also need to continue our ship-

ments of arms to Ukraine. And the President needs to find a way to further enhance Ukrainian air defenses, whether that involves sending the S-300 air defense systems that President Zelenskyy asked for, or armed drones, or facilitating the transfer of MiG aircraft from NATO countries to the Ukrainian Air Force, or all of the above.

Russia is currently unleashing devastation from the skies of Ukrainian cities, and we need to find a way of helping Ukrainians to reduce or eliminate that threat.

Finally, we need to make sure that while we are sanctioning Russia on the one hand, we are not enriching it on the other with things like an Iran deal that could see Russia benefit to the tune of \$10 billion.

The people of Ukraine are not waiting for anyone to come and save them. They are fighting with everything they have to save their country, but they are asking for our help. They need arms and resources and humanitarian assistance to sustain their fight against Russian forces that are increasingly showing less and less restraint. And they are relying on us—on us—on our shared belief in freedom and self-determination, on our shared commitment to human liberty.

The Ukrainian people know what they want to be and that is a free people in a free country, and they have the will to stay in this fight. They just need our help. Let’s not let them down. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HEINRICH). The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. Kaine. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. Kaine. Mr. President, I ask unanimous consent that the Senate stand in recess until 2:15 p.m.

There being no objection, the Senate, at 12:01 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. Sinema).

AMERICA CREATING OPPORTUNITIES FOR MANUFACTURING, PRE-EMINENCE IN TECHNOLOGY, AND ECONOMIC STRENGTH ACT OF 2022—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Nevada.

NOMINATIONS OF CRISTINA D. SILVA AND ANNE RACHEL TRAUM

Ms. Cortez Masto. Madam President, this week, the Senate considers two outstanding nominees to the U.S. District Court for the District of Nevada. They have my full support and

the support of Senator Rosen, and I urge the Senate to confirm them.

Nevada’s Federal bench has had vacancies since 2016 and 2018, so the need is urgent. Senator Rosen and I have carefully reviewed the records of the President’s nominees, Judge Cristina Silva and Professor Anne Traum, in cooperation with the bipartisan judicial commissions in our State.

Both of these women have the skill, the dedication, and knowledge of the law to serve Nevadans and the Nation as district court judges. Judge Cristina Silva held leadership positions at the U.S. Attorney’s Office for the District of Nevada, where she became the first woman and Latina to serve as chief of the criminal division and worked on the investigation into the Route 91 Harvest Festival shooting in Las Vegas.

Since 2019, she has been a judge on the Eighth Judicial District Court in Las Vegas. Nevada has benefited immensely from Judge Silva’s public service, and I am confident she will continue that service on the Federal bench.

Professor Anne Traum has served as an attorney for civil courts in the U.S. Attorney’s Office, as an assistant Federal public defender, and as a practitioner who has argued more than 30 cases before the Ninth Circuit Court of Appeals.

She currently teaches at UNLV’s William S. Boyd School of Law, where she directs the law school’s appellate clinic in working on cases before the Ninth Circuit and the Nevada Supreme Court.

Professor Traum’s record, as both a practitioner and as an academic, will make her a strong addition to the U.S. District Court.

These two nominees have received the support of many in Nevada’s legal community, including former Republican Governor Brian Sandoval, a former Federal judge himself. They have demonstrated their commitment to justice, the law, and to their community.

They represent the best of Nevada, and I will vote for them enthusiastically, and I ask and call on my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

NOMINATION OF KETANJI BROWN JACKSON

Mr. Cornyn. Madam President, as anybody who has been watching C-SPAN knows, the confirmation process for Judge Ketanji Brown Jackson is well underway.

Over the last few weeks, members of the Senate Judiciary Committee, on which I am honored to serve, have conducted a meticulous review of Judge Jackson’s record and qualifications.

During this week’s hearing, though, we have an opportunity to dig deeper and to hear directly from the nominee about her ability to serve as a fair and impartial Supreme Court Justice—somebody without an agenda, somebody who doesn’t dabble in politics,